



UNITED STATES PATENT AND TRADEMARK OFFICE

lin
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/571,864	03/14/2006	Marc A. Huber	PHUS030337US	6962

7590 05/15/2007
Thomas E Kocovsky Jr
Fay Sharpe Fagan Minnich & McKee
1100 Superior Avenue
Seventh Floor
Cleveland, OH 44114-2579

EXAMINER

SONG, HOON K

ART UNIT	PAPER NUMBER
----------	--------------

2882

MAIL DATE	DELIVERY MODE
-----------	---------------

05/15/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/571,864	HUBER ET AL.	
	Examiner	Art Unit	
	Hoon Song	2882	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 13-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 9-11, 13, 14 and 18-21 is/are rejected.
- 7) ☒ Claim(s) 5-8 and 15-17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>3/14/2006</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claims 2-3 and 13 are objected to because of the following informalities:

In claim 2 at line 4, "the imaging modalities" lacks proper antecedent basis.

In claim 3 at line 3-4, "the first and second modalities" lacks proper antecedent basis.

In claim 13 at line 1, "claim 12" should read --claim 11--.

Similar informality exists throughout the claims. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 11 and 13-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Pattee (US 6615428B1).

Regarding claims 1 and 11, Pattee teaches a telescopic table system for imaging a subject in at least a first modality and a second modality, the table comprising:

a base 130;

an intermediate pallet 120 having a tip and a trailing edge mounted to the base for longitudinal movement between at least a retracted position and an extended position with the tip extending outward from the base (figure 1);

a subject pallet 110 having a leading edge and trailing edge; and

bearing supports 117 mounted adjacent the subject pallet trailing edge such that the subject pallet is cantilevered therefrom, the bearing supports being mounted to the intermediate pallet for longitudinal movement therealong.

Regarding claim 2, Pattee teaches the cantilevering of the subject pallet is constant in all longitudinal positions of the subject and intermediate pallets to prevent deflection changes while extending into any of the imaging modalities (the rigidity of second stage 120 would prevent deflection changes, figure 3).

Regarding claim 3, Pattee teaches an intermediate support means disposed between the first and second modalities for supporting the tip of the intermediate pallet in the extended position such that the intermediate pallet is supported against deflecting as the subject pallet moves along the intermediate pallet into the second modality (since Pattee's table is identical to the claimed invention and is capable of being positioned as claimed, Pattee anticipate the claim figure 3).

Regarding claim 4, Pattee teaches the base includes a main support pallet (130) including a static support member which supports the tip of the intermediate pallet awhile the subject pallet extends into the first modality during imaging (figure 3).

Regarding claim 13, Pattee teaches loading a subject on the subject pallet while the subject pallet is being supported by the intermediate pallet and the base in the retracted position, which base includes a main support pallet (figure 3).

Regarding claim 14, Pattee teaches extending the intermediate and subject pallets simultaneously to the first modality; and while supporting the intermediate pallet with a static support member disposed about a leading edge of the main support pallet, moving the subject support pallet along the intermediate pallet through the first modality subject receiving bore for imaging (figure 3).

Claims 18-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Freeman et al. (US 5960054).

Regarding claim 18, Freeman teaches a medical imaging system comprising:
a first imaging system (A);
a second imaging system (30); and
a common patient support table (28), wherein the patient support table is movable between a first position where an object to be imaged is within an imaging region of the first imaging system and a second position where the object is positioned within an imaging region of the second imaging system (figure 3);

wherein said common patient support table is cantilevered in both the first position and the second position (since Freeman teaches the common patient support table that is cantilevered in both positions, it is considered that the table is capable to support the functional limitation of "such that an axial deflection of the patient support table in the first position is the same as an axial deflection of the patient

support table in the second position", Furthermore, since Freeman's table is considered not defected, the zero defection would read one the claim limitation).

Regarding claim 19, Freeman teaches the patient support table includes a main support pallet (4), an intermediate support pallet (26) and a patient support pallet (28).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pattee.

Regarding claim 9, Pattee fails to teach the subject pallet is manufactured from a stiffened carbon fiber to limit deflection of the subject pallet.

A stiffened carbon fiber support is known in the art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to make the pallet of Pattee with the known material, since it would provide more stiff support.

Claims 10 and 19-21 rejected under 35 U.S.C. 103(a) as being unpatentable over Freeman in view of Pattee.

Regarding claim 19, Freeman fails to teach the patient support table includes a main support pallet, an intermediate support pallet and a patient support

Art Unit: 2882

pallet.

Pattee teaches a patient support table includes a main support pallet, an intermediate support pallet and a patient support pallet (figure 3).

It would have been obvious to one of ordinary skill in the art at the time of the invention to adapt the patient support of Freeman with the patient support as taught by Pattee, since it would improve range of extension and retraction while providing compact structure.

Regarding claim 20, Pattee teaches the intermediate support pallet and the patient support pallet extend from the main support pallet when the patient support table is in the first position, and wherein the patient support pallet extends from the intermediate support pallet when the patient support table is in the second position (figure 3).

Regarding claims 10 and 21, Pattee teaches one or more support members are positioned between the patient support pallet and the intermediate pallet such that when the patient support pallet extends from the intermediate pallet, the patient support pallet is cantilevered on the intermediate pallet (figure 3).

Allowable Subject Matter

Claims 5-6, 7-8 and 15-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 5-6 and 15-17, the prior art fails to teach the intermediate support further includes: a catcher support member which is disposed on a top surface

Art Unit: 2882

of the intermediate support, and a lift mechanism which raises the intermediate support until the catcher support member comes into contact with an intermediate pallet lower surface to support the intermediate pallet tip as claimed in dependent claim 5 and 15.

Regarding claims 7-8, the prior art fails to teach a locking mechanism which locks the intermediate pallet against moving until the subject pallet is retracted to a substantially fully retracted position with respect to the intermediate pallet as claimed in dependent claim 7.

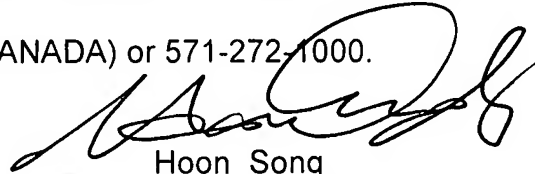
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoon Song whose telephone number is (571) 272-2494. The examiner can normally be reached on 9:30 AM - 7 PM, Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Glick can be reached on (571) 272 - 2490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2882

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Hoon Song', is written over the printed name.

Hoon Song
Primary Examiner
Art Unit 2882

5/3/2007